

# SENATE BILL 1065

P2

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By: **Senator Pipkin**

Introduced and read first time: February 29, 2012

Assigned to: Rules

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## A BILL ENTITLED

1 AN ACT concerning

2 **Procurement – Board of Contract Approval – Establishment**

3 FOR the purpose of establishing the Board of Contract Approval; specifying the  
4 membership, powers, and duties of the Board; prohibiting the Board of Public  
5 Works from requiring that certain contracts or contract renewals be brought to  
6 the Board of Public Works for consideration and approval; defining a certain  
7 term; and generally relating to the Board of Contract Approval.

8 BY repealing and reenacting, with amendments,  
9 Article – State Finance and Procurement  
10 Section 10–204  
11 Annotated Code of Maryland  
12 (2009 Replacement Volume and 2011 Supplement)

13 BY adding to  
14 Article – State Finance and Procurement  
15 Section 10B–101 through 10B–103 to be under the new title “Title 10B. Board of  
16 Contract Approval”  
17 Annotated Code of Maryland  
18 (2009 Replacement Volume and 2011 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
20 MARYLAND, That the Laws of Maryland read as follows:

21 **Article – State Finance and Procurement**

22 10–204.

23 (A) [By] EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, BY  
24 regulation, the Board may require that any proposed contract, contract renewal, or

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 change order, of a designated class or monetary value, of any unit of the Executive  
2 Branch be brought to the Board for consideration and approval before execution.

3 **(B) THE BOARD MAY NOT REQUIRE THAT A CONTRACT OR CONTRACT**  
4 **RENEWAL WITH A VALUE OF LESS THAN \$500,000 OF ANY UNIT OF THE**  
5 **EXECUTIVE BRANCH BE BROUGHT TO THE BOARD FOR CONSIDERATION AND**  
6 **APPROVAL BEFORE EXECUTION.**

7 **TITLE 10B. BOARD OF CONTRACT APPROVAL.**

8 **10B-101.**

9 **IN THIS TITLE, "BOARD" MEANS THE BOARD OF CONTRACT APPROVAL.**

10 **10B-102.**

11 **(A) THERE IS A BOARD OF CONTRACT APPROVAL.**

12 **(B) THE BOARD CONSISTS OF THE FOLLOWING MEMBERS:**

13 **(1) ONE MEMBER APPOINTED BY THE GOVERNOR;**

14 **(2) ONE MEMBER APPOINTED BY THE COMPTROLLER; AND**

15 **(3) ONE MEMBER APPOINTED BY THE STATE TREASURER.**

16 **(C) THE BOARD SHALL MEET WEEKLY AT A TIME AND PLACE**  
17 **DETERMINED BY THE BOARD.**

18 **(D) EACH MEMBER OF THE BOARD IS ENTITLED TO COMPENSATION AS**  
19 **PROVIDED IN THE STATE BUDGET.**

20 **(E) THE BOARD MAY EMPLOY A STAFF AS PROVIDED IN THE STATE**  
21 **BUDGET.**

22 **(F) FOR THE PURPOSES OF THE PREPARATION OF THE STATE BUDGET:**

23 **(1) THE BOARD IS AN INDEPENDENT AGENCY; AND**

24 **(2) ALL EXPENSES RELATED TO THE ADMINISTRATION OF THE**  
25 **BOARD SHALL BE SEPARATELY IDENTIFIED AND BE INDEPENDENT OF THE**  
26 **BUDGET OF ANY OTHER STATE AGENCY.**

27 **10B-103.**

1           **THE BOARD:**

2                   **(1)   MAY REQUIRE THAT ANY PROPOSED CONTRACT OR CONTRACT**  
3 **RENEWAL OF ANY UNIT OF THE EXECUTIVE BRANCH THAT HAS A MONETARY**  
4 **VALUE OF LESS THAN \$500,000 BE BROUGHT TO THE BOARD FOR**  
5 **CONSIDERATION AND APPROVAL BEFORE EXECUTION; AND**

6                   **(2)   SHALL ADOPT REGULATIONS TO CARRY OUT THIS TITLE.**

7           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
8   October 1, 2012.